



NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Eugene F. Giszczynski, James K. Thomas, Eric Peterson,
Dale A. Scholtens, and Michael J. Wurst

Application No.: 10/722,230 Group: 2419

Filed: November 25, 2003 Examiner: Bo Hui Alvin Zhu

Confirmation No.: 6692

For: DISTRIBUTED VIRTUAL PATH

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

11/20/08 Anne Amison
Date Signature
Anne Amison

Typed or printed name of person signing certificate

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 22, 2008 of the Examiner finally rejecting claims 18-38. A Pre-Appeal Brief Request for Review is being filed concurrently herewith. The item(s) checked below are appropriate:

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated July 22, 2008 for 1 month from October 28, 2008 to November 28, 2008.
2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
 Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.

11/24/2008 EFLORES 00000010 10722230

01 FC:1401
02 FC:1251

540.00 OP
130.00 OP

3. Fees are submitted for the following:

<input checked="" type="checkbox"/>	Extension of Time for 1 month	\$130
<input type="checkbox"/>	Additional Extension of Time:	
	Fee for Extension ([] mo.)	\$[]
	Less fee paid ([] mo.)	<u>\$[]</u>
	Balance of fee due	\$[]
<input checked="" type="checkbox"/>	Notice of Appeal	\$540
<input type="checkbox"/>	Other	\$[]
	TOTAL	\$670

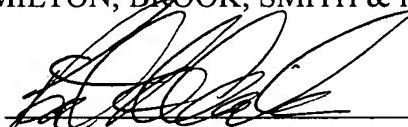
4. The method of payment for the total fees is as follows:

- A check in the amount of \$670 is enclosed.
- Please charge Deposit Account No. 08-0380 in the amount of \$[].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Patrick A. Quinlan

Registration No.: 61,287

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: 11/20/08